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Westmoreland denies he put ceiling on troop strength

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NEW YORK — At no time during his four-year tenure as commander of U.S. forces in Vietnam, Gen. William Westmoreland testified Monday, did he ever impose a ceiling on enemy troop strength or feel pressured into putting a good face on the war's progress.

To have imposed a ceiling on enemy strength, he said, would have been "improper." He was oblivious to any political heat, he said, because "I tried to stay out of the political channels."

As pointed out by CBS attorney David Boies, however, much of Westmoreland's testimony appeared to contrast sharply with numerous magazine and newspaper articles, statements made by other military officials and the findings of a 1976 House committee investigation.

Whether a ceiling was imposed and whether Westmoreland was under pressure to present good news about the war are issues at the heart of his \$120 million libel suit against CBS.

In a January 1982 documentary entitled *The Uncounted Enemy: A Vietnam Deception*, CBS said that Westmoreland imposed a 300,000-man ceiling on enemy troop strengths even though his own intelligence staff believed the number to be much higher.

He did so, the broadcast said, because he believed the only way his request for more troops would be granted was if he could show that U.S. forces were winning the war.

As a result, the program concluded, Westmoreland intentionally deceived President Lyndon Johnson about the true size of the enemy and left American forces

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Gen. William Westmoreland

ill-prepared to counter the enemy's devastating January 1968 Tet Offensive.

Vigorously denying all of the program's allegations, Westmoreland sued CBS. He is the highest-ranking U.S. public official ever to file a libel suit.

Grilling Westmoreland during a wide-ranging, five-hour cross-examination Monday, Boies asked the 70-year-old, retired general at one point whether he recalled a September 1967 meeting with George Carver, the CIA's chief of Vietnamese affairs.

Westmoreland said that he did recall that meeting.

"He [Carver] inquired if a ceiling had been imposed and I said it had not," Westmoreland replied.

"... To impose a ceiling that would have disregarded intelligence findings would definitely have been improper," the general said.

Boies then produced a portion of Carver's earlier trial testimony and read it aloud to the jury.

Carver's recollection of the meeting, Boies said, included this statement: "... His [Westmoreland's] subordinates were acting under the impression that they were under instructions to stay

below a certain overall figure or ceiling.'"

Westmoreland said he assured Carver during that meeting that there was no ceiling and no one in his command was under any pressure to stay within a certain figure.

Under intense questioning from Boies, Westmoreland said that he did not learn that some officials in his command believed they were under orders to intentionally underestimate enemy troop strengths until he saw the CBS broadcast.

"I did learn after the CBS broadcast ... that apparently there were some officials at a low level who apparently had an erroneous impression in that regard," Westmoreland said.

A number of those officials are expected to testify for CBS later in the trial.

Boies then asked Westmoreland whether he recalled seeing a 1976 congressional report that also questioned the reliability of U.S. military intelligence reports.

"I have no recollection of it, no," Westmoreland replied.

In a highly critical study of enemy estimates provided by military intelligence in the months preceding the Tet Offensive, the report, called the Pike Committee Report, reached many of the same conclusions that CBS did.

At one point, the report quotes then-CIA Director William Colby, who testified before the committee, saying: "Warning of the Tet offensive had not fully anticipated the intensity, coordination and timing of the enemy attack."

Later, the report said: "The validity of most of the numbers was significantly dubious. Unfortunately, they were relied on for optimistic presentations."